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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Panama*

The present report is a summary of 13 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. Recalling recommendations 70.1 to 70.8 that Panama had accepted during its first universal periodic review,[3] Joint Submission (JS) 2 noted that Panama had still not ratified the International Labour Organization (ILO) Workers with Family Responsibilities Convention (No. 156), Maternity Protection Convention (No. 183) or Indigenous and Tribal Peoples Convention (No. 169); the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the amendment to article 8 of the Convention on the Elimination of All Forms of Racial Discrimination; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance.[4] JS2 recommended that Panama ratify the international human rights instruments to which it is not a party[5] and bring its internal legal framework into line with international obligations.[6]

Constitutional and legislative framework

2. JS2 noted that there was no specific legislation on children and recommended that the Government adopt legal rules on the comprehensive protection of children and ensure the necessary resources for their implementation.[7]

3. Institutional and human rights infrastructure and policy measures

3. JS4 observed that between the first and second periodic reviews of Panama there had been repeated human rights violations, the country's institutions had weakened, cases of corruption had been reported at all levels and law enforcement agencies had been used for the repression and persecution of civil society movements.[8]

4. The Centre for Strategic Studies (CEE) said that the Government had turned the election of the Ombudsman into a political act and noted that the current Ombudsman did not have a human rights background.[9] The Centre regretted that the Ombudsman's Office had still not allocated a budget for protection of the rights of indigenous peoples and persons of African descent.[10]

5. CEE further noted that, although the joint Government-civil society committee had made progress in developing a national mechanism for the prevention of torture, its implementation was being hindered by a lack of political will and resources.[11]

6. JS1 noted that there had been a serious increase in violence and crime among young people resulting from a lack of opportunities. In addition, there was a lack of education for indigenous people that is of good quality and adapted to their culture.[12] JS1 recommended that Panama strengthen efforts to address youth unemployment,[13] increase vocational training plans and workshops for young people[14] and develop leadership training programmes for young people from all social classes and communities.[15]

B. Cooperation with human rights mechanisms

7. JS2 said that most of the concerns expressed during the first periodic review of Panama remained valid [16] and recommended that the Government comply with the recommendations and the voluntary commitments it had accepted during its first universal periodic review.[17]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

8. JS3 said that it was regrettable that Panama did not have anti-discrimination legislation and recommended that the Government enact a law against discrimination, including on the grounds of sexual orientation and gender expression.[18] JS2 recommended that the Government adopt legislation criminalizing discrimination in all its forms.[19]

9. JS2 acknowledged that progress had been made with regard to public policy and legislation on gender,[20] although the State had not brought domestic policies and legislation into line with the Convention on the Elimination of All Forms of Discrimination against Women,[21] nor had it ensured the necessary resources and institutional standing for the National Institute for Women.[22] JS2 recommended that the Government strengthen the institutional framework for the protection of women's rights,[23] while JS1 recommended that it organize training and awareness-raising courses on women's rights and publicize laws, programmes and resources more broadly.[24]

10. JS1 noted that Panama had accepted recommendations concerning racial discrimination during its first universal periodic review. However, Afro-Panamanian and indigenous communities, in particular, continued to experience discrimination.[25] People of African descent had difficulty in accessing and enjoying rights in areas such as education, health, political participation, access to justice and employment.[26] In addition, indigenous communities suffered violence and oppression because of their economic and social status.[27] JS1 recommended that the Government develop campaigns to raise awareness in schools and communications media regarding the dignity of all persons, regardless of their ethnic origin;[28] implement programmes for the social integration of Afro-Panamanian and indigenous communities;[29] conduct a socioeconomic study of Afro-Panamanian groups concentrated in certain cities with a view to meeting their basic needs;[30] and impose sanctions on persons or organizations that discriminated against Afro-Panamanian or indigenous people.[31]

11. JS2 said that Panama had not acted on any of the recommendations that it had accepted during its first universal periodic review concerning people of African descent. The criminalization of poverty among the population of African descent continued, as did discriminatory behaviour by law enforcement agencies.[32] JS2 recommended that the Government conduct a new population census with the budget, preparation and awareness-raising needed to ascertain the real situation of people of African descent in the country and establish a National Secretariat for the Development of Afro-Panamanians.[33]

12. JS1 pointed out that the most vulnerable children in Panama were children from indigenous communities and undocumented minors.[34] It recommended that the Government take measures to ensure that indigenous children could fully exercise their rights[35] and that it introduce support programmes for migrant children.[36]

13. JS2 said that Panama had not brought its domestic legislation or policies into line with the Yogyakarta Principles on the Application of International Human Rights Law in

relation to Sexual Orientation and Gender Identity and refused to give legal recognition to the lesbian, gay, bisexual, transgender and intersex (LGBTI) community.[37] It recommended that Panama recognize the existence of the LGBTI population as subjects of rights and beneficiaries of public policies.[38]

14. JS3 recalled that paragraphs 11 and 12 of article 133 of Executive Decree 204/1997 remained in force, noting that those paragraphs provided that practising homosexuality or lesbianism constituted serious misconduct for members of the National Police.[39] JS3 recommended that they be repealed.[40]

15. JS3 said that the media were largely responsible for stirring up prejudice and violence against the LGBTI community. The language used in the media incited homophobia and transphobia in society.[41] JS3 recommend that the Government implement programmes to prevent and combat discrimination in the media on the grounds of sexual orientation and gender identity and expression[42] and launch a national plan for the elimination of discrimination and violence against LGBTI persons.[43]

16. JS3 indicated that same-sex unions were not recognized, as article 40 of Act No. 7/2014 prohibited same-sex marriage and prevented the recognition of unions celebrated abroad.[44] JS3 recommended that Panama repeal article 40 of Act No. 7/2014 and initiate the legislative process to ensure legal equality for same-sex couples.[45]

2. Right to life, liberty and security of the person

17. JS3 said that illegal and arbitrary deprivation of liberty and abuses in the detention of transgender persons were widespread among the National Police.[46] JS3 recommended that law enforcement personnel be given training on their obligations to respect and protect the rights of transgender persons and that police officers involved in cases of arbitrary detention, extortion and violence against transgender persons be investigated and prosecuted.[47]

18. JS2 said that the Government had not taken sufficient measures to implement a prison system that met international standards, as had been recommended and accepted by Panama during the first universal periodic review (recommendations 68.19, 68.20 and 68.24).[48] JS2 added that overcrowding was still a problem[49] and that conditions and programmes in juvenile detention centres were inadequate.[50] It recommended that steps be taken to ease overcrowding and ensure decent living conditions for persons deprived of their liberty.[51]

19. JS2 noted that there detention centres lacked staff qualified to deal with persons with disabilities. In addition, a large number of persons with disabilities had been deprived of their liberty without having been tried or convicted.[52]

20. JS1 observed that, despite the existence of Act No. 82/2013 on violence against women, domestic violence remained widespread.[53] JS2 noted with regret that implementing regulations for the Act had not been adopted within the established time frame (by December 2013). The Government had also failed to set up specialized courts and prosecutor's offices to deal with cases of violence against women and had not built women's shelters.[54] JS1 recommended that the Government ensure the effective implementation of legislation to eliminate violence against women, particularly in the home.[55] JS2 recommended that the Government implement the provisions of Act No. 82/201,[56] while JS3 recommended that Panama should ensure that policies for victims of violence and expulsion from the family home took account of transgender adolescents and women.[57]

21. The Congregation of our Lady of Charity of the Good Shepherd (CLCGS) noted that the latest report of the National Integrated System of Criminal Statistics revealed that, in

2011, there were 1,042 reported cases of sexual abuses of women while in 2012 there were 1,190 such cases. From January to April 2013, 340 cases of sexual abuse of women had been registered.[58] CLCGS recommended Panama to create a prevention policy against cultural patterns that encouraged sexual abuse.[59]

22. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that corporal punishment of children was lawful, despite accepted recommendations to prohibit it during the first UPR of Panama (68.21 and 70.15).[60] GIEACPC hoped that States would make a recommendation to Panama to adopt legislation prohibiting all forms of corporal punishment of children in all settings, including the home.[61]

23. JS1 said that there were cases of indigenous and refugee children being sexually exploited by adults. It recommended the implementation of prevention campaigns among the indigenous population and in remote rural communities to stop sexual abuse of children and the development of assistance programmes to encourage school attendance and prevent economic exploitation of children in rural communities.[62]

3. Administration of justice, including impunity, and the rule of law

24. JS2 pointed out that Panama had not introduced a judicial tenure system and that since 2005 judges had been appointed on a temporary basis. In addition, the percentage of the budget allocated to the administration of justice had been reduced in 2013 and 2014, thus hindering the implementation of an adversarial criminal justice system at the national level.[63]

25. JS2 expressed the view that the Government was not upholding the right to due process for persons with disabilities, since there were only three sign language interpreters nationwide to support deaf persons deprived of their liberty.[64]

26. JS2 noted that under Panama's legislation on juvenile crimes, the age of criminal responsibility was still 12 and recommended that it bring its provisions on the criminal responsibility of adolescents into line with the Convention on the Rights of the Child.[65]

27. JS2 indicated that although Panama had accepted recommendations 69.16, 69.17 and 69.18[66] during its first universal periodic review, it had not effectively investigated several serious human rights violations that had occurred between 2010 and 2012, such as the events of Changuinola (2010) and San Félix and Colón (2011–2012), thus fostering a culture of impunity.[67] JS2 recommended that the Government investigate, prosecute and punish serious human rights violations committed in the past five years.[68]

28. CEE recalled that the Truth Commission on crimes committed during the military dictatorship (1969–1989) had been set up in 2001 and that the outcome of its investigations had been compiled in a report with restricted distribution that had never been given to the families of the victims. It further noted that the Government had not maintained contact with victims' families or followed up their cases, which remained stalled, and that there was no compensation plan.[69] CEE said that it was regrettable that the Ombudsman's Office had not responded to requests from victims' families to support their call for truth and justice.[70]

4. Right to privacy, marriage and family life

29. JS1 noted that Panama had not complied with recommendation 68.27 made during its first universal periodic review,[71] as evidenced by the fact that access to birth registration for children born in remote areas remained limited. JS1 recommended that the Government establish birth registration centres in indigenous and remote areas and areas with high concentrations of people of African descent and run campaigns to promote birth registration.[72]

30. JS3 noted that transgender persons could obtain recognition of their gender identity only via legal proceedings after undergoing gender realignment surgery. JS3 recommended that Panama enact a gender identity law providing for recognition of the name and gender of transgender persons in all personal documentation via an administrative procedure, without the requirement of surgery.[73]

5. Freedom of association and peaceful assembly, and right to participate in public and political life

31. JS4 said that it was regrettable that Act No. 14/2010 remained in effect, noting that it imposed restrictions on the rights of assembly and demonstration and that trade union leaders had been prosecuted and punished under that Act. JS4 recommended that the Government repeal or amend Act No. 14/2010 so that it did not limit the rights to assemble and demonstrate.[74]

32. The International Human Rights Clinic of the University Of Oklahoma College Of Law (IHRC-OU) noted that, since 2011, Panama had made some progress to guarantee more women's participation in government. However, as of 2012, Panama ranked 105 out of 129 countries globally and lowest in the region in women's representation at high decision-making levels of government.[75] JS1 recommended that Panama should continue to take steps to ensure equal opportunity for women to hold positions of responsibility.[76]

6. Right to work and to just and favourable conditions of work

33. JS4 said that, although Panama had accepted recommendations on labour matters during its first universal periodic review, there did not appear to have been any major changes in the situations that had given rise to those recommendations. For example, nothing had been done to reduce the pay gap between men and women or to eliminate the illegal practice of making women take pregnancy tests in order to gain access to employment. JS4 recommended that the State take the necessary measures to comply with the recommendations and commitments undertaken during its first universal periodic review in relation to labour issues.[77]

34. JS4 also pointed out that successive governments had failed to comply with the career rules for public officials, whose situation was unstable and dependent on political factors. It recommended that Panama comply with existing standards and adopt new ones as needed to establish stable career conditions in the public sector.[78]

35. JS4 further noted that the State was not respecting the rights to freedom of association and to form trade unions in the public sector, and had imposed restrictions that were not in line with the restrictions recognized as legitimate for democratic societies. In the private sector, too, there were areas in which the formation of trade unions was not permitted, such as in the banking sector, the Colón Free Zone and most of the commercial sector and in domestic work.[79]

36. JS4 added that the Ministry of Labour interfered with trade union freedom, refusing to register some trade unions and even ignoring rulings by the high courts and the Supreme Court ordering their recognition.[80]

37. JS4 called on the Government to respect and guarantee the right to form trade unions and other labour rights in the public sector; to take all necessary political, legal and administrative measures to protect the trade union rights of all workers in all sectors of the economy; and to refrain from interfering in the formation and functioning of workers' organizations.[81]

38. CLCGS noted that women domestic workers had to work up to 12 hours a day, often facing mistreatment by their employer and that social security depended on the will of the

employer. It added that the minimum wage for domestic workers was between 200 and 225 dollars, while for the rest of workers it was established at 624 dollars. CLCGS referred to reports of the Ministry of Labour citing that 48 per cent of the complaints it received were from domestic workers. CLCGS recommended Panama to implement a policy to fight abuse against women domestic workers by sensitizing people to their rights and taking measures to enforce legal dispositions regarding monthly wage and social security rights.[82]

7. Right to social security and to an adequate standard of living

39. IHRC-OU noted that there were estimates of as many as 90 per cent of indigenous Panamanians living in extreme poverty. Labour force participation for most indigenous workers was extremely difficult because of the rural location of indigenous communities, prejudice against indigenous people, limited access to education, and language barriers.[83] The National Committee of Indigenous Peoples of Panama (MNPIP) said that, despite reported economic growth of between 4 and 8 per cent of gross domestic product in recent decades, the child malnutrition, infant mortality and school dropout rates had increased in indigenous communities.[84]

8. Right to health

40. JS2 said that the Government had prioritized the construction of hospital infrastructure, neglecting primary care, and had abandoned mental health with the closure of the National Mental Health Institute. The State had also failed to take action to uphold the right to health in cases of medical negligence. JS2 recommended that the Government prioritize primary health care, strengthen mental health care and introduce measures to ensure investigation, prosecution and the imposition of penalties in cases of medical negligence.[85]

41. JS2 expressed concern at the high rates of pregnancy and sexually transmitted infections among adolescents. In addition, it noted that there were few suitable sexual and reproductive health programmes and that there was very limited sexual education content in school curricula.[86] JS1 recommended that Panama establish policies on sexual and reproductive health that protected the dignity and rights of women and facilitate access to family planning methods that were in keeping with people's wishes, culture and religion.[87] It also recommended that sexual and reproductive education programmes be developed in the education system.[88]

42. The International Association for Hospice and Palliative Care (IAHPC) recalled that the Ministry of Health Resolution 499/2010 established the National Palliative Care programme, which had been implemented throughout the country for the last four years. However, there were difficulties in dispensing prescriptions containing morphine and other controlled substances. IAHPC recommended the Government to adapt the Law of Controlled Substances for Medical Use; enact a palliative care law regarding patients' rights; and initiate a programme oriented to teach pain management and palliative care to improve prescribing and dispensing of opioids where clinically indicated.[89]

43. JS3 pointed out that transgender persons faced serious difficulties in accessing health care, including denial of care, long waits for care, public humiliation, isolation and harassment. JS3 recommended that the State implement programmes to improve comprehensive health care for the transgender community and introduce training programmes for health-care personnel on health, gender identity and human rights and care for transgender women.[90]

9. Right to education

44. JS1 noted that the school enrolment rate had risen by 43 per cent at primary level and by 30 per cent at lower secondary level and that a universal scholarship programme had been established to combat school dropout. It pointed out, however, that that programme would have a greater impact if it were accessible to remote rural communities.[91]

45. IHRC-OU noted that Panama was very close to achieving the Millennium Development Goal regarding universal primary education access. The current challenge was to reduce the school dropout rate and to improve the quality of education. At the primary level, the enrolment rate was 98 per cent while at the secondary level it was only 60 per cent.[92]

46. JS1 said that the quality of education differed depending on social class and region. The stratification of education had resulted in segmentation and a lack of coordination in the provision of education, which had accentuated inequality of opportunities for various population groups, to the detriment of the poorest groups.[93]

47. IHRC-OU indicated that there was a disparity in the quality of education for indigenous and non-indigenous children. Schools in the indigenous communities operated with one teacher for all levels and ages; a day schedule lasted only one or two hours; intercultural bilingual education had not been universally introduced in indigenous territories; and literacy remained a substantial problem for indigenous populations, in particular women. Some indigenous populations had literacy rates falling to as low as 57 per cent for women. IHRC-OU recommended Panama to consider developing programmes that would help to raise the literacy rate among indigenous peoples, specifically women; consult with indigenous peoples to implement bilingual and cultural education in indigenous areas and to improve existing programmes and curriculum; work to standardize the amount of time that students received in the classroom; and standardize national curriculum so that all children are exposed to indigenous perspectives during their course work.[94]

48. JS1 said that the Government should allocate funds to ensure equal access to education for Afro-Panamanian and indigenous communities and tailor educational support for remote communities, establishing conditions suited to their geographical situation.[95]

49. JS2 noted that the provisions of Act No. 2/1984, which ordered the incorporation of human rights studies into the national curriculum, had never been implemented and recommended that the Government develop human rights programmes in the education system.[96]

10. Persons with disabilities

50. JS2 said that persons with disabilities continued to be excluded from society and had low labour market participation rates as a result of the lack of equal access to education. It observed that the Government had not developed policies aimed at reducing poverty levels among persons with disabilities or programmes for the prevention of domestic violence against persons with disabilities, who were doubly vulnerable, nor had it guaranteed such persons free access to sexual and reproductive health information and services. JS2 recommended that the Government strengthen the National Secretariat for the Social Integration of Persons with Disabilities (SENADIS) as the lead agency for public policies to foster the inclusion of persons with disabilities and uphold their rights of.[97]

11. Indigenous peoples

51. MNPIP said that, although Panama had enacted laws on indigenous issues, the traditional authorities of the indigenous peoples felt that the Government did not respect

those laws because it did not consult them on legislative, political and administrative decisions affecting them. JS1 noted that Panama had not complied with the recommendations received during the first universal periodic review concerning indigenous peoples (68.10; 68.26; 68.35; 68.36; 69.31; 69.32).[98] MNPIP said that it was regrettable that Panama had not ratified ILO Convention No. 169 or adopted existing bills on prior consultation and protection of traditional knowledge and practices.[99]

52. The Environmental Impact Centre (CIAM), referring to recommendation 69.31 accepted by Panama during the first universal periodic review,[100] said that it was unfortunate that gaps in the legal framework were impeding implementation of the United Nations Declaration on the Rights of Indigenous Peoples. It mentioned in particular the repeal of articles of the General Environmental Act requiring prior free and informed consent of indigenous peoples with respect to development projects that might affect them. CIAM recommended that the Government reinstate the articles in question, apply international standards on consultation with indigenous peoples in the development of projects and formulation of policies and regulations that might affect them and continue discussions on the bill on consultation of indigenous peoples together with representatives of indigenous peoples.[101]

53. JS5 noted that two governmental bodies were established to address indigenous concerns, in addition to the *Defensor del Pueblo* and that enlightened laws regarding indigenous issues were adopted. Rural schools and health centres, though underfunded and unevenly distributed, were ubiquitous. However, JS5 considered that the gap between stated intentions and governmental actions was huge. The *Defensor del Pueblo* had proved ineffective; progressive legislation was often ignored; and many official plans and projects constituted mere window-dressing. The Government consistently failed to protect indigenous citizens, and when large-scale national development was at stake, it actively furthered their abuse, violently and fatally repressing indigenous protests. JS5 recommended the Government to increase its efforts to combat impunity of human rights violations against indigenous populations and desist from using violence against indigenous protesters.[102]

54. MNPIP said that there had been allegations of serious human rights violations in connection with the development of major investment projects in indigenous territories. The in Barro Blanco, Chan 75 and Bayano hydroelectric projects, for example, had been awarded through irregular concession processes and their benefits had been poorly distributed. MNPIP also expressed concern at the appropriation of indigenous lands by settlers and the increase in activities related to drug trafficking in those areas.[103]

55. JS5 indicated that the system of reserved territories called *comarcas* offered significant protection for indigenous lands and autonomy. However, the country's five *comarcas* had been invaded by third parties and there was no legislation to dislodge and sanction such actions.[104] IHRC-OU recommended the Government to consider amending the status of the *comarcas* to include more sovereign interests of the indigenous peoples who live on the land; give more attention to land rights as a whole and clearly define indigenous land rights; and integrate native land and resource rights into the legal framework to allow indigenous peoples access to the resources.[105] JS5 recommended the Government to suspend all hydroelectric construction until rigorous procedures for informed consent and environmental assessment are established, implemented, and applied to all projects, even those already under way; and drastically reduce the scale of hydroelectric construction.[106]

56. JS5 considered that the process of recognizing collective lands had been painfully slow. The government lands agency (ANATI) had continued to grant titles to non-indigenous people on collective lands still awaiting title. The lack of tenure security had led to several conflicts, stemming from invasions by settlers from other provinces; overlapping

titles with private companies; illegal logging and the creation of protected areas without the free, prior, and informed consent of communities.[107] JS5 recommended the Government to expedite titling and demarcation of collective lands; impose a moratorium on land alienation (especially on sales to foreign investors) in areas where there have been persistent allegations of fraud and unwarranted dispossession; expedite and streamline titling procedures; and establish legislation that sanctions those who invade indigenous lands.[108]

57. On 2013, the Inter-American Commission on Human Rights (IACHR) filed an application with the Inter-American Court of Human rights in Case No. 12.354, that referred to the State's failure to meet its obligation to provide the Kuna and Emberá indigenous peoples with adequate, effective procedures for gaining access to their ancestral territories and for obtaining a response to the numerous complaints of third-party interference in their territories and natural resources. The IACHR sent the case to the Court because it considered that Panama did not comply with the recommendations it previously made to the Government to, inter alia, promptly conclude the process of formalizing, delimiting, and demarcating the territories of these two peoples; grant them prompt and just compensation for the removal and flooding of their ancestral territories; ensure the free, prior, and informed consent of the Kuna and Emberá peoples to the projects sought to be developed in their territories; and to protect their territories and natural resources from third persons.[109]

12. Migrants, refugees and asylum seekers

58. CEE regretted that the Government was again requiring visas and had established security policies against Haitian citizens, although they had no history of immigration violations. Those measures had rendered residence and employment procedures more complicated for Haitians in Panama, despite the overall good behaviour of those migrants. In addition, the cost of regularizing migration status was higher for Haitians than for other foreigners in a similar position, which constituted unequal and discriminatory treatment.[110]

13. Environmental issues

59. JS2 expressed the view that the institutional and legal framework in relation to environmental matters had been weakened in recent years. The environmental impact assessment process had also been weakened in terms of procedural requirements, adversely affecting communities' right to prior consultation in environmental decision-making. JS2 recommended that the Government strengthen the legal and institutional framework, particularly with respect to access to information, the right to consultation and participation, social and environmental impact assessments for development projects, decentralization and access to environmental justice.[111]

60. IHRC-OU recalled that during its first UPR, Panama accepted a recommendation to reinstate the requirement to produce environmental impact studies for all major projects, especially in indigenous and protected areas.[112] IHRC-OU was concerned that Panama had not appropriately implemented this recommendation in the areas near the Barro Blanco project and recommended the Government to consider outside environmental assessments of projects.[113]

61. In relation to recommendation 69.28, accepted by Panama during its first universal periodic review,[114] CIAM regretted the continued application of environmental flow regulations allowing users of water resources with water concessions to use up to 90 per cent of a river's flow, as a result of which hydroelectric projects could deprive communities of water. The planned construction of the Barriles hydroelectric project would affect water sources that supplied several rural aqueducts serving communities in the province of Chiriquí. CIAM recommended that the Government repeal the resolution on environmental

flows and replace it with a rule that took account of the biological and human consumption needs to be met by fresh water ecosystems."[77]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.
Civil society

Individual submissions:

CEE	Centro de Estudios Estrategicos, Panama, (Panama)
CIAM	Centro de Incidencia Ambiental, Panama, (Panama)
CLCGS	Congregation of Our Lady of Charity of the Good Shepherd, Geneva, (Switzerland)
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, (UK)
IAHPC	International Association for Hospice and Palliative Care, Houston, Texas, (USA)
IHRC-OU	The University of Oklahoma College of Law International Human Rights Clinic, Norman, Oklahoma, (USA)
MNPIP	Mesa Nacional de los Pueblos Indigenas de Panama, (Panama)

Joint submissions:

JS1	Joint submission 1 submitted by: IIMA — Istituto Internazionale Maria Ausiliatrice, Veyrier (Switzerland); VIDES International — International Volunteerism Organization for Women, Education, Development and CIVICUS: World Alliance for Citizen Participation
JS2	Joint submission 2 submitted by: Alianza Ciudadana Pro Justicia, Asociación Hombres y Mujeres Nuevos de Panamá (AHMNP), Fundación Levántate y Anda, Comisión de Justicia y Paz, Alianza por un Mejor Darién, Mesa de Análisis de Leyes y Políticas Públicas de Discapacidad (MELEDIS), Asociacion Conciencia Ciudadana, Centro de Asistencia Legal Popular, Centro de Estudios y Capacitación Familiar, Centro de Estudios y Accion Social Panameño, Colectivo Voces Ecológicas, Servicio Paz y Justicia-Panamá, Asociación Panameña de Derecho Constitucional, Movimiento Ciudadano de la Identidad Panameña, Fraternidad Cristiana de Personas con Discapacidad (FRATER), Central Nacional de Trabajadores de Panamá (CNTP), Apoya Red Continental de Personas Mayores de America Latina y el Caribe-Panama, Red Nacional de Apoyo a la Niñez y Adolescencia de Panama, Red de Mujeres Afropanameñas (REMAP), Centro de la Mujer Panameña (CEMP), Coordinadora Nacional de Organizaciones Negras Panameñas and Centro de Capacitacion Social (CCS), Panama, Panama
JS3	Joint submission 3 submitted by: Asociacion Nuevos Horizontes de Panamá, Panama (Panama), Asociación Viviendo Positivamente de Panama, Panama (Panama), and Iniciativa por los Derechos Sexuales
JS4	Joint submission 4 submitted by: Central Nacional de Trabajadores de Panamá (CNTP), Confederación de Trabajadores de la República de Panamá (CTRP), Convergencia Sindical, Federacion Nacional de Servidores Publicos (FENASEP), Federación Sindical de Trabajadores de la Republica de Panamá (FSTRP) and Unión General de Trabajadores (UGT), Panama (Panama)
JS5	Joint submission 5 submitted by: Cultural Survival, Cambridge, Massachusetts, USA, and the Rainforest Foundation US.

Regional intergovernmental organization(s):

IACHR	Inter-American Commission on Human Rights, Washington, DC.

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] For the full text of the recommendations see A/HRC/16/6, recommendations 70.1 (Slovenia), 70.2 (France), 70.3 (Argentina), 70.4 (Spain), 70.5 (Ecuador), 70.6 (Haiti), 70.7 (Brazil and Norway), 70.8 (Ecuador).
[4] JS2, page 3. See also JS4, para. 5.
[5] JS2, page 3. See also CLCGS, para. 13, IHRC-OU page 7, JS4, para. 6 and MNPIP, page 1.
[6] JS2, page 3. See also JS4, para. 6.
[7] JS2, page 4.
[8] JS4, para. 4.
[9] CEE pages 5–6.
[10] CEE page 4.
[11] CEE page 5.
[12] JS1, para. 28.
[13] JS1, para. 29 (a).
[14] JS1, para. 29 (c).
[15] JS1, para. 29 (d).
[16] JS2, page 2.
[17] JS2, page 3.
[18] JS3, paras. 12 and 16.
[19] JS2, pages 3–4.
[20] JS2, page 4. See also CLCGS, para. 2.
[21] JS2, page 5.
[22] JS2, pages 4–5. See also CLCGS, para. 2 and IHRC-OU page 6.
[23] JS2, page 5.
[24] JS1, para. 26 (e).
[25] JS1, para. 6. See also CEE pages 4–5.
[26] JS1, para. 7.
[27] JS1, para. 8.
[28] JS1, para. 9 (a).
[29] JS1, para. 9 (b).
[30] JS1, para. 9 (c).
[31] JS1, para. 9 (d).
[32] JS2, page 6.
[33] JS2, page 6.
[34] JS1, para. 13.
[35] JS1, para. 14 (a).
[36] JS1, para. 14 (b).
[37] JS2, page 5.
[38] JS2, page 5.
[39] JS3, para. 13.
[40] JS3, para. 17.

[41] JS3, para. 14.
[42] JS3, para. 18.
[43] JS3, para. 20.
[44] JS3, para. 15.
[45] JS3, para. 19.
[46] JS3, para. 5.
[47] JS3, paras 9–10.
[48] JS2, page 10. For the full text of the recommendations see A/HRC/16/6, recommendations 68.19 (Morocco), 68.20 (Slovakia), 68.24 (Algeria).
[49] JS2, page 10.
[50] JS2, page 4.
[51] JS2, page 11.
[52] JS2, page 10.
[53] JS1, para. 25.
[54] JS2, page 4. See also IHRC-OU page 6.
[55] JS1, para. 26 (b).
[56] JS2, page 5.
[57] JS3, para. 30.
[58] CLCGS, para. 19.
[59] CLCGS, para. 20.
[60] For the full text of the recommendations see A/HRC/16/6, recommendations 68.21 (Peru) and 70.15 (Brazil).
[61] GIEACPC, page 1. See also JS1 paras. 15–18.
[62] JS1, paras. 31–32.
[63] JS2, page 10.
[64] JS2, page 10.
[65] JS2, page 4.
[66] For the full text of the recommendations see A/HRC/16/6, recommendations 69.16 (Germany), 69.17 (Slovakia), 69.18 (Norway).
[67] JS2, pages 2 and 10.
[68] JS2, page 11.
[69] CEE page 1–2.
[70] CEE page 3.
[71] For the full text of the recommendation see A/HRC/16/6, recommendation 68.27 (Mexico).
[72] JS1, paras. 10–11. See also CEE page 3.
[73] JS3, paras. 22–24.
[74] JS4, para.17. See also JS2 page 2.
[75] IHRC-OU page 6. See also JS1, para. 24 and JS2, page 5.
[76] JS1, para. 26 (a).
[77] JS4, paras. 7–8.
[78] JS4, para. 12.
[79] JS4, paras. 13–14.
[80] JS4, para. 15.
[81] JS4, para. 16.
[82] CLCGS, paras. 7, 11 and 13.
[83] IHRC-OU page 2.
[84] MNPIP, pages 1–2. See also JS1, para. 34.
[85] JS2, page 9.
[86] JS2, page 4.
[87] JS1, para. 26. See also CLCGS, para. 20.
[88] JS2, page 8. See also JS4, para. 12.
[89] IAHPC, pages 5–6.
[90] JS3, paras.28, 31 and 32.
[91] JS1, paras. 19–20.
[92] IHRC-OU page 5.
[93] JS1, para. 21. See also JS2, page 8 and JS4, para. 10.

[94] IHRC-OU pages 5–7. See also JS2, page 8.
[95] JS1, para. 23.
[96] JS2, page 8. See also JS4, para. 12.
[97] JS2, page 7.
[98] For the full text of the recommendations see A/HRC/16/6, recommendations 68.10 (Norway), 68.26 (Brazil), 68.35 (Spain), 68.36 (Uruguay), 69.31 (Norway), 69.32 (Norway).
[99] MNPIP, page 1. See also JS2, page 6 and JS5, page 2.
[100] For the full text of the recommendation see A/HRC/16/6, recommendation 69.31 (Norway).
[101] CIAM, paras 6–9. See also JS2, page 6, JS5, page 9 and IHRC-OU pages 3–4.
[102] JS5, pages 2–3.
[103] MNPIP, page 2. See also JS1, para. 33 and JS5, page 2.
[104] JS5, page 2.
[105] IHRC-OU pages 2–3.
[106] JS5, pages 9–10.
[107] JS5, pages 7–9.
[108] JS5, pages 9–10.
[109] IACHR page 4. See also IACHR press release No. 22/13: IACHR Takes Case involving Panama to the Inter-American Court, April 4, 2013. Available at: http://www.oas.org/en/iachr/media_center/PReleases/2013/022.asp.
[110] CEE page 4.
[111] JS2, pages 8–9. See also CIAM, paras. 10–11.
[112] For the full text of the recommendation see A/HRC/16/6, recommendation 69.33 (United Kingdom).
[113] IHRC-OU pages 4–5.
[114] For the full text of the recommendation see A/HRC/16/6, recommendation 69.28 (Uruguay).
[115] CIAM, paras. 4–5. See also JS2, page 9.